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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 SAMUEL W. TWEEDY,

12 Petitioner,

13 v.

14 STATE OF CALIFORNIA,

15 Respondent.
16

Case No. 2:23-cv-01239-WBS-JDP (HC)

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed this application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.


20 On January 17, 2024, the magistrate judge filed findings and recommendations herein
21 which were served on petitioner, and which contained notice to petitioner that any objections to
22 the findings and recommendations were to be filed within fourteen days. Petitioner has not filed
23 objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
25 court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
26 court finds the findings and recommendations to be supported by the record and by proper
27 analysis.
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, ECF No. 10, are adopted in full;
2. The petition herein is dismissed for failure to state a claim and for failure to prosecute, for the reasons set forth in the court's September 28, 2023 and December 1, 2023 orders;
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and
4. The Clerk of Court is directed to close this case and to enter judgment accordingly.

Dated: April 9, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE